

IN THE COURT OF APPEALS FOR THE
SECOND DISTRICT OF TEXAS

CRYSTAL MASON,
APPELLANT

V.

THE STATE OF TEXAS,
APPELLEE

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§

FILED IN
2nd COURT OF APPEALS
FORT WORTH, TEXAS
3/20/2019 8:55:16 AM
DEBRA SPISAK
Clerk
NO. 02-18-00138-CR

**STATE'S THIRD MOTION FOR EXTENSION OF TIME
TO FILE ITS BRIEF ON APPEAL**

TO THE HONORABLE COURT OF APPEALS:

Pursuant to TEX. R. APP. P. 10.5(b), the State requests that the Court extend the time for filing the State's brief by seven days, thus creating a new due date of March 28, 2019. The following allegations are made in support of this motion:

I.

The court below is the 432nd Judicial District Court of Tarrant County, Texas. The cause below was styled *The State of Texas v. Crystal Mason*, cause number 1485710D. The Hon. Ruben Gonzalez, Jr., presided.

II.

On March 28, 2018, the trial court found Appellant guilty of illegal voting and sentenced her to five years' confinement in the Institutional Division of the Texas Department of Criminal Justice. Appellant is currently incarcerated.

III.

Appellant filed a notice of appeal on March 28, 2018. The reporter's record was filed on May 21, 2018, and the clerk's record was filed on July 24, 2018.

IV.

Appellant was granted eighty-eight days in extensions to file her brief. Appellant filed her brief on November 19, 2018. The State's brief currently is due on March 21, 2019. The State previously was granted a total of ninety days in extensions of time to file its brief.

V.

This extension is not requested for purposes of delay, but in order to fully respond to Appellant's five points of error on appeal. Granting the State's motion should not significantly delay submission of the case.

VI.

Counsel has read the record and begun working on the State's brief in this case, but will be unable to complete the brief for filing by the current due date. Since the State's last request for extension, counsel completed and filed the brief for the Texas Department of Family and Protective Services in *In re S.S.*, No. 02-18-00353-CV; and counsel was out of the office from March 7-13, 2019.

WHEREFORE, PREMISES CONSIDERED, the State respectfully requests that the Court extend the time for filing the State's brief to March 28, 2019.

Respectfully submitted,

SHAREN WILSON
Criminal District Attorney
Tarrant County, Texas

JOSEPH W. SPENCE
Chief, Post-Conviction

/s/ Helena F. Faulkner
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Certificate of Conference

On March 19, 2019, Alison Grinter, informed counsel for the State that she does not oppose this motion for extension of time to file the State's brief.

/s/ Helena F. Faulkner
HELENA F. FAULKNER

Certificate of Service

On March 20, 2019, this State's motion was e-served on Appellant's counsel, Alison Grinter, alisongrinter@gmail.com; and Kim T. Cole, kcole@kcolelaw.com.

/s/ Helena F. Faulkner
HELENA F. FAULKNER